

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

Claims 1, 3, 4, and 8 have been amended. Claim 6 has been rewritten in independent form. Claims 2, 5, 7, and 11 have been canceled.

Claim 7 stands rejected under 35 U.S.C. 112, second paragraph. Claim 7 has been canceled.

Claims 1, 2, 5, 8, 9, and 11 stand rejected under 35 U.S.C. 102(b) as being anticipated by Peters et al. (U.S. Patent No. 5,893,098). Claims 1 and 8 have been amended. Claims 2, 5 and 11 have been canceled. For at least the following reasons, the examiner's rejection is respectfully traversed.

Peters does not disclose or teach "the system is one of an automated questioning and recording system and an agent questioning and recording system, wherein the system is able to switch between the automated system and the agent system during the first questioning series and the second questioning series" as recited in amended claim 1. Similar language is found in amended claim 8.

Peters discloses a system for conducting a survey questionnaire to a plurality of users by an automated computer system. Peters does not disclose that the survey questionnaire can be conducted by an agent or in any other matter other than by the computer. Therefore, Peters fails to disclose or teach that the system is one of an automated system and an agent system. Peters also does not disclose or teach that a user can switch between the automated computer system

and another system during the survey questionnaire. Therefore, Peters does not disclose or suggest a system able to switch between an automated system and an agent system. Thus, Peters does not disclose or teach all the elements of the claimed invention.

Claims 3, 4, 6, 7, and 10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Peters et al. in view of Nanos et al. (U.S. Patent No. 6,381,744). For at least the following reasons, the examiner's rejection is respectfully traversed.

None of the reference disclose or suggest "presenting at least one verbatim question and recording a verbal response if the drill-down response is not within a predetermined acceptable response range" as recited in claim 6. The Office action cites Nanos as discloses these elements.

Nanos discloses a survey kiosk that allows for open-ended answers to questions by pressing a button indicating that a verbal response will be given. Thus, Nanos does not specifically present a verbatim question for a verbal response, but only allows a verbal response as one option in a variety of response choices. Therefore, even if combined, the references do not disclose or suggest all the elements of the claimed invention.

Furthermore, there is no suggestion or motivation for one skilled in the art at the time the invention was made to combine Nanos with Peters to arrive at the claimed invention. Peters discloses a system for conducting a survey questionnaire to a plurality of users by an automated computer system. In Peters, the system automatically collates response documents and loads a database with answers for subsequent analysis. In Nanos, the survey kiosk allows for verbal responses to questions. Since verbal responses cannot not be automatically collated and loaded into a database with answers, there is no need or motivation to look at or use the Nanos verbal response elements to modify Peters. Thus, there is no motivation or suggestion to combine Nanos with Peters. Reconsideration and withdrawal of the rejection based upon the combination

of references is respectfully requested.

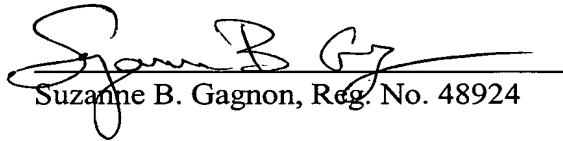
In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 32668.

Respectfully submitted,

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